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10/531,742

10/26/2005

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EXAMINER

EKPO, NNENNA NGOZI

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/531,742 | Applicant(s) MONNIER, RAOUL | |
| | Examiner Nnenna N. Ekpo | Art Unit 2623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/18/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The reference listed in the Information Disclosure Statement filed on April 18, 2005 has been considered by the examiner (see attached PTO-1449 form).

Drawings

3. The drawings are objected to because figures 1-3 should be labeled as "prior art". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. **Figures 1-3** should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. **Claims 1-4 and 9** are rejected under 35 U.S.C. 102(e) as being anticipated by Antoine et al. (WO 02/065780).

7. Regarding **claim 1**, Antoine et al. discloses a device (see cited portion, but not limited to fig 2 (10)) for radio signal distribution comprising at least two signal input/outputs (see cited portion, but not limited to fig 2 (44)) to be connected to decoders (see cited portion, but not limited to fig 2 (20)) wherein it comprises at least one means of communication (see cited portion, but not limited to fig 2 (26)), linking the

input/outputs between them, in a communication frequency band (see cited portion, but not limited to page 16, lines 24-31).

Regarding **claim 2**, Antoine et al. discloses everything claimed as applied above (see *claim 1*). The device characterized in wherein the communication means is a bandpass filter whose bandwidth corresponds to the communication frequency band (see cited portion, but not limited to page 16, lines 32- page 17, line 8).

Regarding **claim 3**, Antoine et al. discloses everything claimed as applied above (see *claim 1*). The device wherein it also comprises at least two second signal input/outputs (see cited portion, but not limited to fig 2 (42)) to be connected to two independent reception devices (see cited portion, but not limited to fig 2 (20)), each second input/output being connected to one first input/output via a filter (see cited portion, but not limited to fig 2 (64)) that rejects the communication frequency band (see cited portion, but not limited to fig 2 (20, 42, 64), page 10, lines 14-page 11, line 5).

Regarding **claim 4**, Antoine et al. discloses everything claimed as applied above (see *claim 1*). The device (see cited portion, but not limited to fig 2 (10)) wherein it also comprises:

at least two second signal input/outputs (see cited portion, but not limited to fig 2 (42)) to be connected to two independent reception devices (see cited portion, but not limited to fig 2 (20)),

switching means allowing each of the first input/outputs to be connected to each of the second input/outputs depending on a selection signal, said selection means being equipped with means for suppressing the communication frequency band (see cited portion, but not limited to fig 2 (20), page 10, lines 21-31).

Regarding **claim 9**, Antoine et al. discloses everything claimed as applied above (see *claim 3*). A satellite program reception system comprising (see cited portion, but not limited to fig 2 (10)):

at least two electrical signal sources corresponding to radio waves, said sources having at least two input/outputs (see cited portion, but not limited to page 8, lines 23-31),

at least two decoders each connected to one of the input/outputs of said unit by means of two distinct coaxial cables, wherein the two decoders exchange data between them via the coaxial cables (see cited portion, but not limited to fig 2 (20, 18), abstract, lines 1-20),

and in that the system comprises at least one device as claimed above whose first input/outputs are connected to the decoders and whose second input/outputs are connected to the sources (see cited portion, but not limited page 16, lines 24-31, fig 2 (18, 26)).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 5-8 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Antoine et al. (WO 02/065780) in view of Watanaba et al. (EP 1024613).

Regarding **claim 5**, Antoine et al. discloses everything claimed as applied above (*see claim 1*).

However, Antoine et al. fails to specifically disclose the device wherein the device is a unit for converting radio waves into an electrical signal that also comprises: at least two transposition means for transforming a transmission frequency band into at least two intermediate frequency bands, at least two selection means allowing each of the first input/outputs to be connected to each of the transposition means.

Watanaba et al. discloses the device wherein the device is a unit for converting radio waves into an electrical signal that also comprises:

at least two transposition means for transforming a transmission frequency band into at least two intermediate frequency bands (see cited portion, but not limited to paragraph 0003 and fig 2 (67-70)),

at least two selection means allowing each of the first input/outputs to be connected to each of the transposition means (see cited portion, but not limited to paragraph 0005 and fig 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Antoine et al.'s invention with the above mentioned limitation as taught by Watanabe et al. for the advantage of verifying the location of the receiver.

Regarding **claim 6**, Antoine et al. and Watanaba et al. discloses everything claimed as applied above (*see claim 5*). Watanaba et al. discloses a device wherein the transmission frequency band is separated into at least two intermediate frequency bands corresponding to two different wave polarizations (see cited portion, but not limited to paragraph 0004-0005).

Regarding **claim 7**, Antoine et al. and Watanaba et al. discloses everything claimed as applied above (*see claim 5*). Watanaba et al. discloses a device wherein the transmission frequency band is separated into at least two intermediate frequency bands corresponding to the same wave polarization but whose bandwidth is substantially twice as narrow (see cited portion, but not limited to paragraph 0006-0007).

Regarding **claim 8**, Antoine et al. and Watanaba et al. discloses everything claimed as applied above (*see claim 5*). Antoine et al. discloses a device wherein it comprises four input/outputs and at least three communication means (see cited portion, but not limited to fig 2 (44, 68)).

Regarding **claim 10**, Antoine et al. and Watanaba et al. discloses everything claimed as applied above (see *claim 5*). Antoine et al. discloses a satellite program reception system comprising (see cited portion, but not limited to fig 2 (10)):

at least one unit for converting radio waves into an electrical signal, said unit having at least two input/outputs (see cited portion, but not limited to fig 2 (26, 44)),

at least two decoders (see fig 2 (20)) each connected to one of the input/outputs of said unit by means of two distinct coaxial cables (see fig 2 (18)), wherein the two decoders exchange data between them via the coaxial cables, and in that said unit is a device as claimed above (see cited portion, but not limited to page 16, lines 24-31).

Citation of Pertinent Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arvisais (U.S. Patent No. 5,905,940) discloses a method of providing an easy and convenient transmission of videos.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nnenna N. Ekpo whose telephone number is 571-270-1663. The examiner can normally be reached on Monday - Friday 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NNE/nne
July 15, 2008.

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2623